

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

*Defendants.*

Civil Action No. 2:23-cv-00641-JRG-RSP

**JURY DEMANDED**

**DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION  
TO AMEND INFRINGEMENT CONTENTIONS [DKT NO. 50]**

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") do not oppose Plaintiff Headwater Research LLC's ("Headwater") procedural request for leave to amend its infringement contentions. Samsung maintains its positions that certain claims, accused features, and functionalities have neither been adequately disclosed nor sufficiently supported with evidence, as described in prior correspondence with counsel for Headwater. *See, e.g.*, 2024-06-26 Ltr fr Fish to Headwater re Deficient Infringement Contentions (Ex. A); 2024-09-17 Meet and Confer; 2024-10-14 Email fr Gallo to Wietholter re Deficient Infringement Contentions (Ex. B). Samsung therefore expressly reserves its substantive objections to deficiencies in Headwater's amended contentions.<sup>1</sup> However, reserving these objections to the substance of Headwater's contentions, Samsung does not oppose the present motion.

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<sup>1</sup> The disputed deficiencies addressed herein are non-exhaustive and merely examples of the types of inaccuracies advanced by Headwater in its motion. Samsung will continue its meet and confer efforts with Headwater to try to address the issues with Headwater's infringement contentions to the extent possible before raising them with the Court.

Although most of Headwater's motion does not require a response and does not raise issues appropriate for the Court at this time, Samsung files this Response to preserve objections to several irrelevant, self-serving statements offered by Headwater in its Motion. For example, Samsung reserves objections concerning [REDACTED], which remains accused without sufficient disclosures or specificity to sustain a plausible infringement theory. Samsung disagrees with Headwater's incorrect representation that "Samsung does not dispute that these documents or testimony accurately reflect [REDACTED]." Dkt. 50 at 10. Samsung also reserves objections regarding the adequacy of the amended contentions' Network Policy-related disclosures, which Headwater overwhelmingly relies on yet offers little to no analysis of. Indeed, Headwater indiscriminately charts Network Policy and related Android classes (*e.g.*, NetworkPolicyManager.java, NetworkPolicyManagerService.java, etc.) to multiple claims without sufficiently describing how they practice each limitation.

Further, Samsung disagrees with Headwater's claim that "Samsung does not dispute that these allegations existed in Headwater's Original PICs and were further clarified in its Amended PICs" and that "[t]he Original PICs and Amended PICs provide notice to Samsung of Headwater's theories of infringement." *Id.* at 7. Notwithstanding new verbiage, Headwater's amended infringement contentions still leave Samsung in the dark as to how each accused feature and functionality purportedly infringes each claim limitation. Accordingly, Samsung generally reserves objections to the adequacy of disclosures in Headwater's original and amended infringement contentions.

Samsung does not oppose the procedural nature of Headwater's motion at this time but expressly reserves its substantive objections regarding the adequacy of Headwater's disclosures and supporting evidence.

Dated: November 18, 2024

Respectfully submitted,

By: /s/ Sara C. Fish

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**SAMSUNG ELECTRONICS AMERICA, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served on November 18, 2024, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Sara C. Fish

Sara C. Fish

